

Boston Redevelopment Authority

DOCUMENT #5480
ADOPTED 4/23/92

First Amendment to the Report and Decision (the "Report and Decision") on the Application (the "Application") of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project in Boston under Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

Prior Proceedings. On January 22, 1992, the Authority approved and adopted a document entitled "Boston Redevelopment Authority Report and Decision on the Application of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project under Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended". The Mayor of the City of Boston approved this vote of the Authority on January 24, 1992. A certificate of this vote and mayoral approval was filed with the office of the City Clerk by the Secretary of the Authority on January 27, 1992.

The Project. The Project is commonly known as Allston Landing. The Project is located on Western Avenue in the Brighton section of Boston, close to the intersection of Western Avenue and Soldiers Field Road. The Project will be leased from Massachusetts Turnpike Authority. The Project, when fully built, will consist of a manufacturing facility; a research, development and administrative complex; and a parking facility. The Project is more fully described in the Report and Decision of the Authority. The Project will be subleased to Genzyme Corporation.

On April 17, 1992, the Applicant submitted an Application to amend the Report and Decision to obtain the Authority's approval for a minor reduction in the Project Area, revision of the preliminary budget and physical description and plans for Phase 1 of the Project, and for an added deviation from the Boston Zoning Code for Phase 1 of the Project. The requested changes are more fully described as follows:

1. As a result of continuing negotiation with the Massachusetts Turnpike Authority, the Project Area has been changed from 8.96 acres to 8.62 acres. The changes include small adjustments to the boundary lines adjacent to the Soldiers Field Road access road on the east and the Turnpike access ramps on the south and the elimination of a small unusable area at the southwest corner of the Project Area. The Authority approves such revised metes and bounds description and perimeter plan describing and depicting the Projected Area included as Schedule A and Appendix B-1 to the Application and incorporates the same by reference in the Report and Decision.

2. The Applicant requests that the Authority approve a new site plan and architectural drawings for Phase 1 of the Project as depicted on Appendix F to the Application and the following physical description of Phase 1 of the Project to replace the description set forth in the first full paragraph on page 2 of the Report and Decision:

Phase 1 of the Project, to be commenced in 1992 and with an expected occupancy date of 1994, will be a manufacturing facility with a projected 79,290 square feet of usable manufacturing and related space, 51,200 square feet of

circulation and structural elements space and 29,011 square feet of mechanical and utility space. The projected gross floor area of this manufacturing facility (as defined in the Boston Zoning Code) is projected to be 130,490 square feet. All of such projections are preliminary and may change during design development. The manufacturing operations will be located on two floors with three mezzanine levels used primarily for support and related functions. Phase 1 will also include approximately 120 parking spaces in a landscaped at-grade lot. Landscaped setbacks and architectural material and design elements will be visually compatible with and enhance the Charles River Corridor.

With more developed engineering and design data for Phase 1 of the Project and with changes resulting from the design review process of the Authority, the aggregate amount of usable manufacturing and related laboratory space has decreased, but the ancillary space needed to support these functions is larger than previously expected. The estimated number of parking spaces remains unchanged at 120. The increase in overall floor space of Phase 1 of the Project is well within the projected limits for the Project as a whole. The Authority approves the revised drawings and Phase 1 description, incorporates such revisions by reference in the Report and Decision and finds that this change will further the public purposes to be achieved by the Project as set forth in the Report and Decision.

3. The Applicant requests that the Authority substitute the preliminary budget for Phase 1 of the Project in the attached Appendix I for the preliminary budget in the original Application, incorporating such budget by reference in the Report and Decision. Various items in this budget have changed, although the aggregate costs have not changed substantially. As set forth in the budget, certain items may be acquired and owned by Genzyme Corporation, the Applicant's tenant, and not by the Applicant. The Authority approves such revised preliminary budget and incorporates such budget by reference in the Report and Decision.

4. The Applicant requests Authority approval for the Project to deviate from Article 28 of the Boston Zoning Code. Design review of the Project will be pursued by the Authority under the design review procedure set forth in Appendix D to the original Application, by the Massachusetts Turnpike Authority, by the Boston Parks Commission and by the Metropolitan District Commission. The Authority finds that due concern has and will continue to be given by the Applicant and these reviewing agencies to the impacts, including visual impact, of the Project on the surrounding areas; that the public interest objectives relating to the Project, including the manufacture of Ceredase and Thyroid Stimulating Hormone, will best be served by a continuation of the accelerated process that the Commonwealth, City of Boston and the Authority are providing as set forth in the agreement included as Appendix L of the Application; and that this deviation may be granted without substantially derogating from the intent and purposes of zoning, building, health and fire laws, codes, ordinances and regulations in effect in Boston. The Authority hereby grants such deviation.

Authority Action. Before making the findings and determinations set forth herein and approving the Application, the Authority has considered the Application itself, all documents and exhibits filed with it or referred to in it, the considered recommendation by the Authority's staff and the arguments and statements made before the Board of the Authority.

Based on the foregoing, the Authority makes the following findings and determinations:

1. Approval of Application. The Authority hereby approves and consents to all matters set forth in the Application and in this First Amendment to the Report and Decision, including all requested findings. The Authority also hereby ratifies and confirms its approval on January 22, 1992, of the zoning deviations for the Project.

2. No Fundamental Change in the Project. The Authority hereby finds that the none of the matters contemplated by the Application constitute a fundamental change in the Project or in the type and character of the buildings of the Project.

3. Effect on Environment. The Authority hereby finds that the requested changes to the Project will have no adverse effect on the environment and that all practicable and feasible means and measures have been taken or will be utilized to avoid or minimize any damage to the Project. In particular, such changes do not significantly increase any of the environmental consequences of the Project that have previously been evaluated by the Authority.

In the opinion of the Chief General Counsel's Office, this First Amendment does not represent a fundamental change to the Project and does not require a public hearing.

APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP
FOR APPROVAL OF A FIRST AMENDMENT TO THE
BOSTON REDEVELOPMENT AUTHORITY REPORT AND DECISION
ON THE APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP
FOR APPROVAL TO UNDERTAKE AN URBAN REDEVELOPMENT PROJECT
UNDER CHAPTER 121A OF THE GENERAL LAWS AND
CHAPTER 652 OF THE ACTS OF 1960, AS AMENDED

The undersigned, Allston Landing Limited Partnership (the "Applicant"), hereby applies to the Boston Redevelopment Authority (the "Authority") pursuant to Chapter 121A of the General Laws, Chapter 652 of the Acts of 1960 and the Rules and Regulations issued by the Authority for approval by the Authority of a First Amendment to the Report and Decision on the Application of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project Under Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended (the "Report and Decision"), approved by the Authority on January 22, 1992, and by the Mayor of Boston on January 24, 1992, and filed with the City Clerk of Boston on January 27, 1992.

By this Application, the Applicant requests the following specific changes to the Report and Decision:

- 1) Substitute the metes and bounds description of the Project Area set forth in the attached Schedule A for the description on pages 3 and 4 of the original Application. Also, substitute the attached Appendix B-1, Perimeter Plan of the Project Area, for Appendix B-1 of the original Application. Incorporate by reference in the Report and Decision such revised description of the Project Area and revised perimeter plan. As a result of continuing negotiation with the Massachusetts Turnpike Authority, the Project Area has been changed from 8.96 acres to 8.62 acres. The changes include small adjustments to the boundary lines adjacent to the Soldiers Field Road access road on the east and the Turnpike access ramps on the south and the elimination of a small unusable area at the southwest corner of the Project Area.
- 2) Substitute the site plan and architectural drawings for Phase 1 of the Project in the attached Appendix F for the site plan and architectural drawings in Appendix F of the original Application, and incorporate by reference the attached Appendix F in the Report and Decision; substitute the following physical description of Phase 1 of the Project for the description set forth in the first full paragraph on page 2 of the Report and Decision:

Phase 1 of the Project, to be commenced in 1992 and with an expected occupancy date of 1994, will be a manufacturing facility with a projected 79,290 square feet of usable manufacturing and related space, 51,200 square feet of circulation and structural elements space and 29,011 square feet of mechanical and utility space. The projected gross floor area of this manufacturing facility (as defined in the Boston Zoning Code) is projected to be 130,490 square feet. All of such projections are preliminary and may change during design development. The manufacturing operations will be located on two floors with three mezzanine levels used primarily for support and related functions. Phase 1 will also include approximately 120 parking spaces in a landscaped at-grade lot. Landscaped setbacks and architectural material and design elements will be visually compatible with and enhance the Charles River Corridor.

With more developed engineering and design data for Phase 1 of the Project and with changes resulting from the design review process of the Authority, the aggregate amount of usable manufacturing and related laboratory space has decreased. The ancillary space needed to support these functions is, however, larger than previously expected. The mechanical systems for Phase 1 of the Project occupy a large amount of space. It is essential that the building provide adequate and reliable climate control and other utility systems and back-up systems. These

support systems have been designed to comply with the US Food and Drug Administration (FDA) requirements and to assure manufacturing system reliability. In addition, the need for absolute sterile conditions requires separate circulation systems through the building apart from the manufacturing areas. The estimated number of parking spaces remains unchanged at 120. The increase in overall floor space of Phase 1 of the Project is well within the projected limits for the Project as a whole. The Applicant believes and requests that the Authority find that this change will further the public purposes to be achieved by the Project as set forth in the Report and Decision.

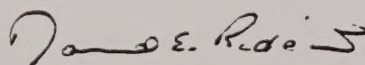
3) Substitute the preliminary budget for Phase 1 of the Project in the attached Appendix I for the preliminary budget for Phase 1 of the Project contained in Appendix I to the original Application, incorporating such budget by reference in the Report and Decision. As set forth in the budget, certain items may be acquired and owned by Genzyme Corporation, the Applicant's tenant, and not by the Applicant, and if so acquired and owned, will be outside the purview of Chapter 121A and Chapter 652.

4) Grant permission for the Project to deviate from Article 28 of the Boston Zoning Code. The Applicant believes and requests that the Authority find that there is adequate design review of the Project by the Authority under the design review procedure set forth in Appendix D to the Application, by the Massachusetts Turnpike Authority, by the Boston Parks Commission and by the Metropolitan District Commission. The Applicant believes and urges the Authority to find that due concern has and will continue to be given by the Applicant and these reviewing agencies to the impacts, including visual impact, of the Project on the surrounding areas; that the public interest objectives relating to the Project, including the manufacture of Ceredase and Thyroid Stimulating Hormone, will best be served by a continuation of the accelerated process that the Commonwealth, City of Boston and the Authority are providing as set forth in the agreement included as Appendix L of the original Application; and that this deviation may be granted without substantially derogating from the intent and purposes of zoning, building, health and fire laws, codes, ordinances and regulations in effect in Boston.

Executed as of this seventeenth day of April 1992.

ALLSTON LANDING LIMITED PARTNERSHIP

By its attorney,



David E. Rideout

April 17, 1992

Then personally appeared before me David E. Rideout, attorney for Allston Landing Limited Partnership, who being duly sworn made oath that to the best of his knowledge and belief the statements contained in the foregoing Application are true.

Pamela Campbell Messenger
Notary Public
My commission expires:

PAMELA CAMPBELL MESSENGER, Notary Public
My Commission Expires September 30, 1994

SCHEDULE A
ALLSTON LANDING LIMITED PARTNERSHIP PROJECT AREA
LEGAL DESCRIPTION

A certain parcel of land situated on the southerly side of Western Avenue in the City of Boston (Allston District) in the County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the southerly line of Western Avenue at the northeasterly corner of the parcel of land hereinafter described, said point being the northwesterly corner of Lot 8 as shown on Land Court Plan No. 21781-E; thence

S 06°30'13"E

A distance of two hundred fifty and three hundredths feet (250.03') to a point; thence

N 83°17'27"E

A distance of one hundred thirteen and seventy-two hundredths feet (113.72') to a point; the previous two (2) lines bounding on said Lot 8; thence

S 06°42'33"E

A distance of five hundred sixty-five and no hundredths feet (565.00') to a point; thence

Southerly

And curving to the right along the arc of a curve having a radius of one hundred ninety and no hundredths feet (190.00'), a length of one hundred seven and eighty-seven hundredths feet (107.87') to a point; thence

Westerly

And curving to the right along the arc of a curve having a radius of eighty-four and no hundredths feet (84.00'), a length of one hundred fifty-eight and fourteen hundredths feet (158.14') to a point; thence

N 46°19'00"W

A distance of one hundred and no hundredths feet (100.00') to a point; thence

Westerly

And curving to the left along the arc of a curve having a radius of two hundred five and no hundredths feet (205.00'), a length of three hundred one and sixty hundredths feet (301.60') to a point; thence

N 02°30'24"W

A distance of seven hundred fifty-three and forty-seven hundredths feet (753.47') to a point; thence

Northwesterly

And curving to the left along the arc of a curve having a radius of fifty-five and no hundredths feet (55.00'), a length of ninety and twenty-three hundredths feet (90.23') to a point in the southerly line of said Western Avenue; the previous seven (7) courses bounding on land now or formerly of the Massachusetts Turnpike Authority; thence

N 83°29'47"E

A distance of three hundred eighty-eight and no hundredths feet (388.00') along the southerly line of said Western Avenue to the point of beginning.

The above-described parcel of land contains an area of 8.62 acres more or less.

SOLDIERS FIELD ROAD

N/F
MASS. TURNPIKE AUTHORITY

RAMP 'D'

L=301.60'
R=203.00'

RAMP 'H'

L=139.14'
R=84.00'

L=107.87'
R=190.00'

S 06° 42' 33" E

565.00'

N 83° 17' 27" E
113.72'

S 06° 30' 13" E
250.03'

Land Court No. 21781 E
Lot B

N 83° 29' 47" E

388.00'

N 02° 30' 24" W

733.47'

SERVICE ROAD 'C'

Existing

Railroad

Easement

Existing
Railroad
Easement

N/F
MASS. TURNPIKE AUTHORITY

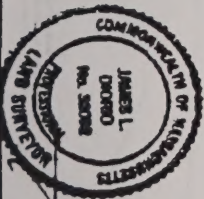
WESTERN AVENUE

PLAN OF LAND
IN
BOSTON, N.

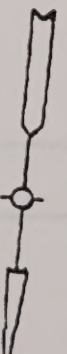
FEBRUARY 26, 1992
SCALE: 1 inch = 100 feet

Prepared for:
ALLSTON LANDING
LIMITED PARTNERSHIP

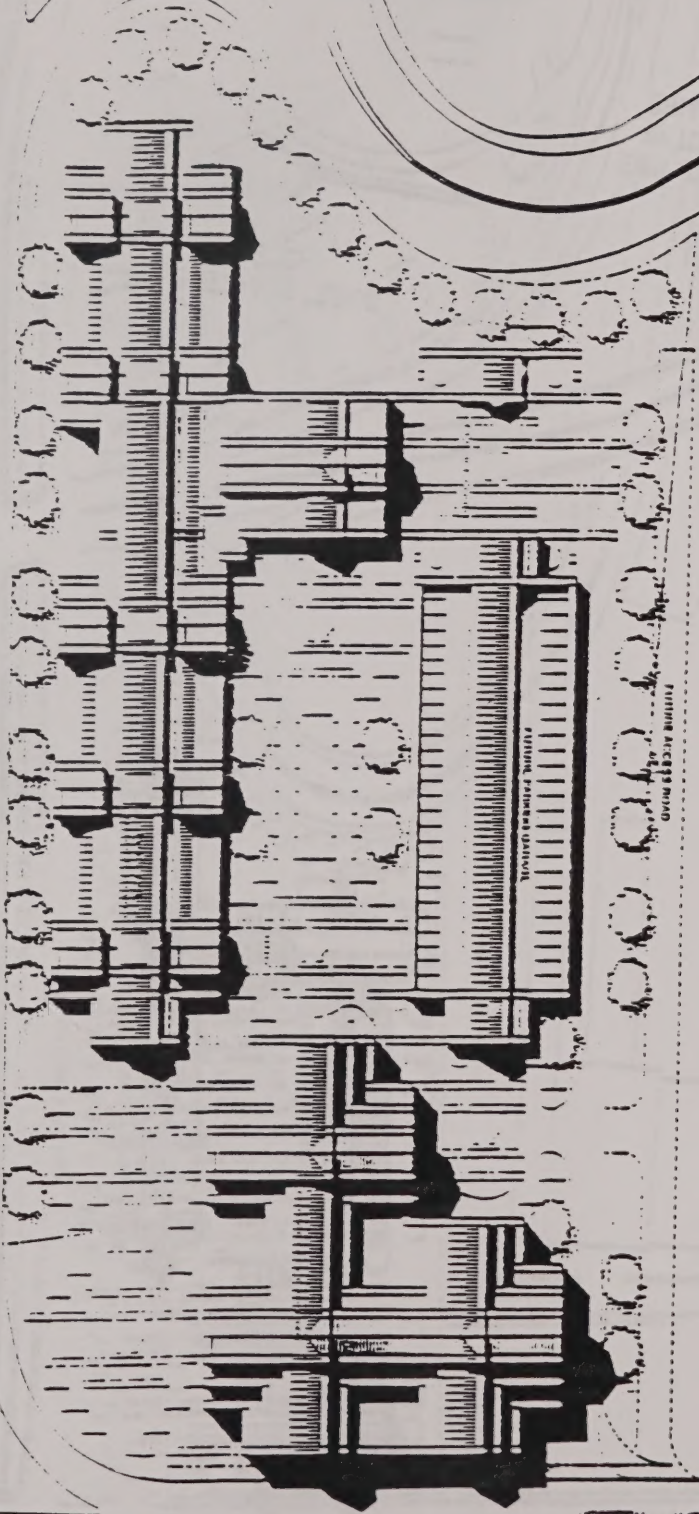
Prepared by:
VANASSE HANGEN BRU
INC.
101 WALNUT ST.
WATERTOWN, MA



James L. Diorio
James L. Diorio, P.L.S.



APPENDIX F



PERIMETER ACCESS ROAD

PERIMETER ACCESS ROAD

SOLDIERS FIELD ROAD

CHARLES RIVER

AVENUE

genzyme

ARC

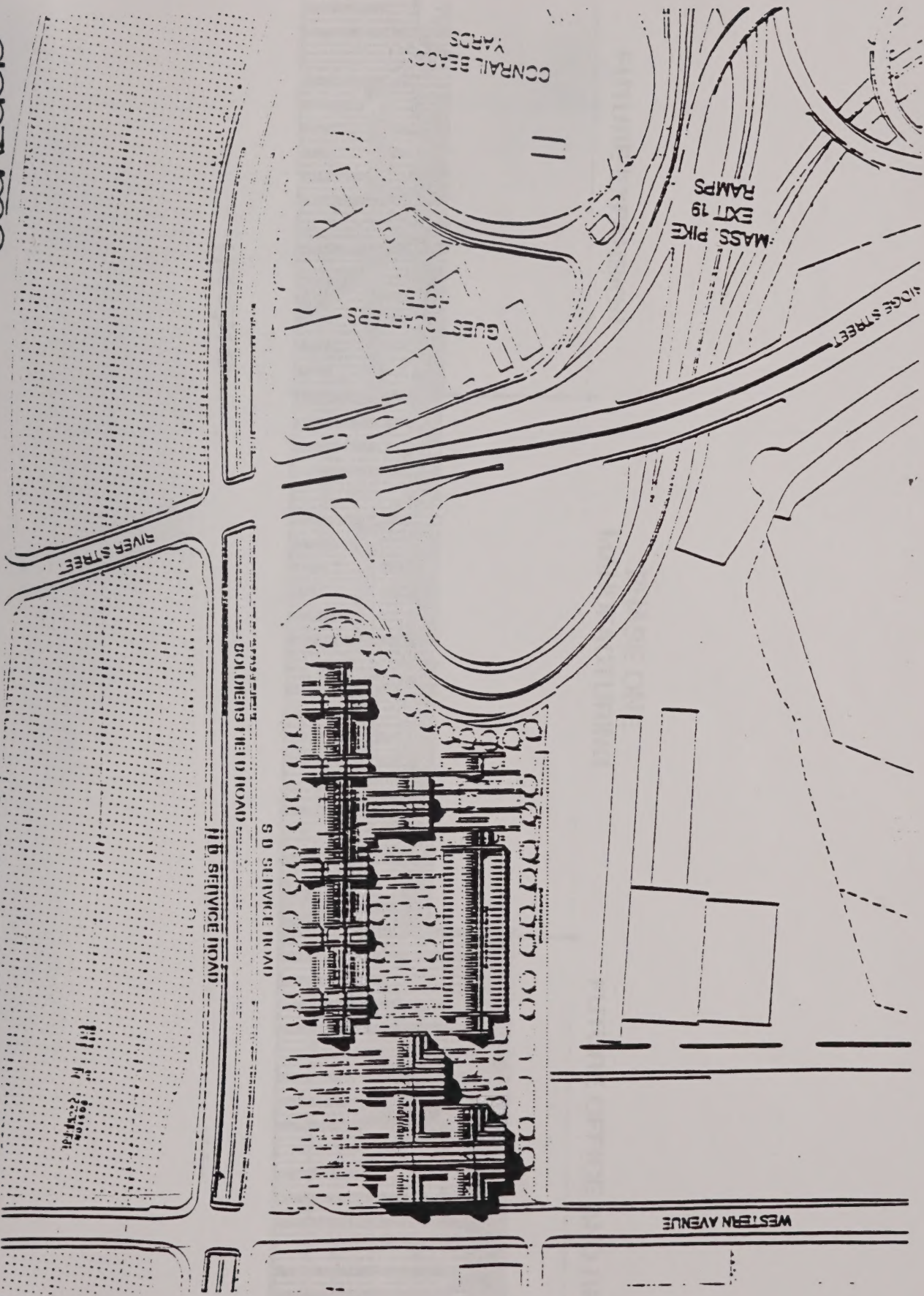
ARC
Arling and Florence
2013 and 2014
Arling and Florence
Arling and Florence



genzyme

ARC

0 1125 225 Feet



FUTURE EXPANSION

PHASE ONE
MANUFACTURING

FUTURE OFFICE AND R&D

garage

ARCHITECT

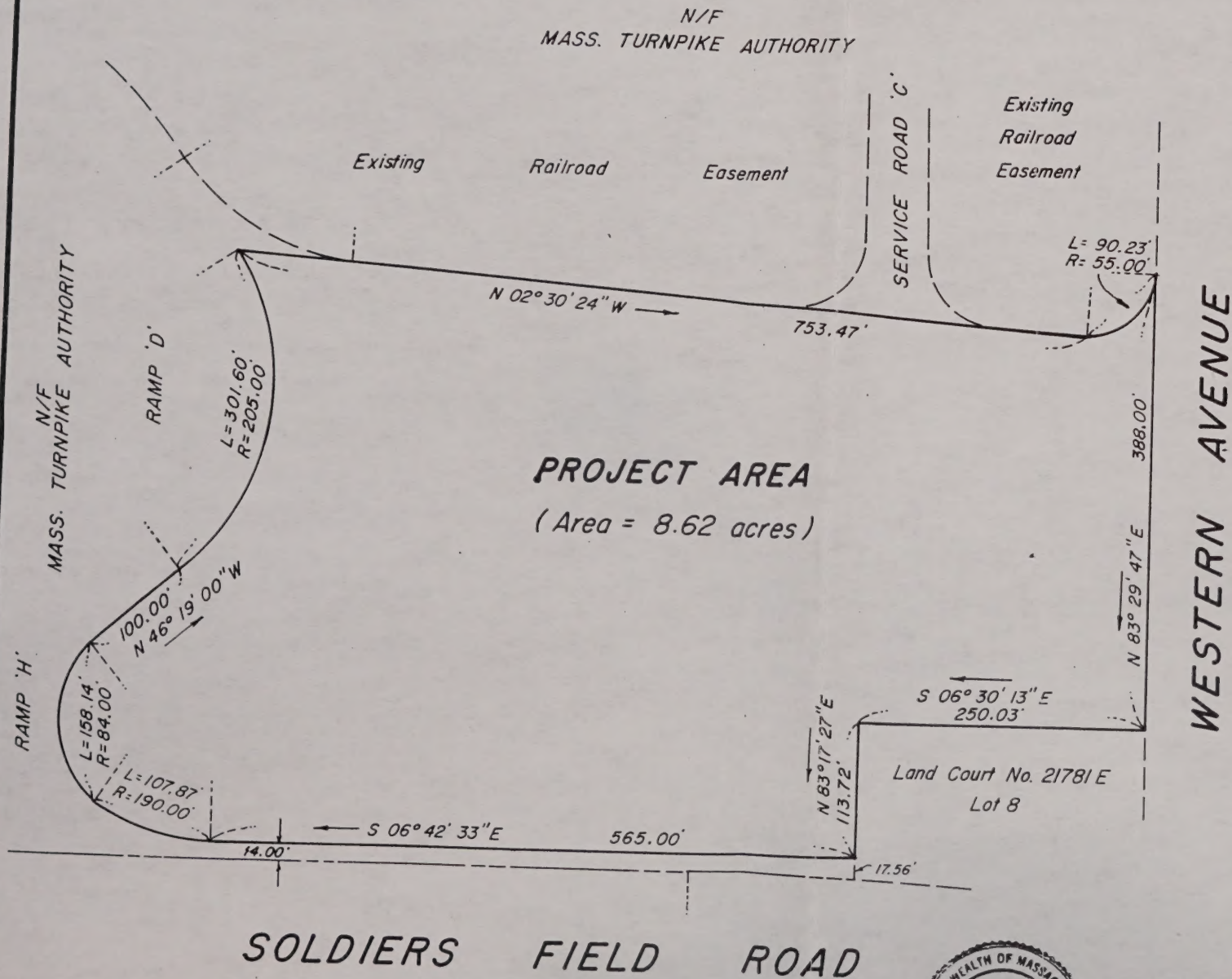
1991



**APPENDIX I
PRELIMINARY BUDGET
ALLSTON LANDING LIMITED PARTNERSHIP**

DESCRIPTION	COST
CIVIL STRUCTURAL AND BUILDINGS	14,336,000
BUILDING FITUP/PROCESS SUPPORT*	15,805,000
PROCESS EQUIPMENT AND PIPING*	29,802,000
CONSTRUCTION MANAGEMENT SERVICES	4,842,000
CONTINGENCY	2,000,000
HOME OFFICE ENGINEERING AND DESIGN SERVICES	8,465,000
FEE	- 0 -
TOTAL - PROJECT COSTS	\$75,250,000

- * Some items of property in these categories, which may be in excess of \$19 million, may be acquired by the Applicant's tenant, Genzyme Corporation, and not the Applicant, and if so acquired and owned, will be outside the purview of Chapter 121A and Chapter 652.



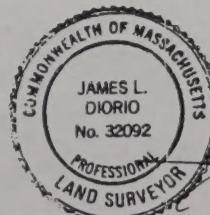
PLAN OF LAND IN BOSTON, MA.

FEBRUARY 26, 1992

SCALE: 1 inch = 100 feet

Prepared for:
ALLSTON LANDING
LIMITED PARTNERSHIP

Prepared by:
VANASSE HANGEN BRUSTLIN,
INC.
101 WALNUT ST.
WATERTOWN, MA.



James L. Diorio
James L. Diorio, P.L.S.

MEMORANDUM

APRIL 23, 1992

V. 6 ter

TO: BOSTON REDEVELOPMENT AUTHORITY AND
THEODORE S. CHANDLER, ACTING DIRECTOR

FROM: GERRY KAVANAUGH, ASSISTANT DIRECTOR FOR
INSTITUTIONAL PLANNING
KAREN GRAY, SPECIAL ASSISTANT TO THE DIRECTOR
ERIC SCHMIDT, DIRECTOR OF URBAN DESIGN

SUBJECT: FIRST AMENDMENT TO REPORT AND DECISION ON THE
APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP
FOR APPROVAL TO UNDERTAKE AN URBAN REDEVELOPMENT
PROJECT IN BOSTON

On January 22, 1992, the Authority voted to adopt a Report and Decision (the "Report and Decision") on the Application of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project in Boston. The proposal called for the lease of certain real property on Western Avenue in the Brighton section of Boston and the construction, operation and maintenance thereon of a manufacturing facility; a research, development and administrative complex; and a parking facility.

On April 17, 1992, the Applicant submitted an Application to amend the Report and Decision to obtain the Authority's approval for a minor reduction in the Project Area, an additional zoning deviation and a revision of various items in the preliminary budget and in the physical description and plans for Phase 1 of the Project.

The Project has now reached substantial completion of the state and local permitting process and it is necessary to make minor modifications to the prior Authority approvals to conform those approvals to the Project design as it has emerged in the design review process of the Authority.

In the opinion of the Chief General Counsel, this Amendment does not represent a fundamental change and does not require a public hearing.

It is therefore recommended that the accompanying First Amendment to the Report and Decision on the application of Allston Landing Limited Partnership be approved.

An appropriate vote follows:

VOTED: That the document presented to this meeting entitled "First Amendment to the Report and Decision on the Application of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project in Boston under Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960 as amended" be and hereby is approved and adopted.

APPROVED:

Including, without limiting the generality of the foregoing, the "Boston Redevelopment Authority First Amendment to the Report and Decision (the 'Report and Decision') on the Application (the 'Application') of Allston Landing Limited Partnership for Approval to Undertake an Urban Redevelopment Project in Boston under Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended", the April 23, 1992, vote of the Authority approving said First Amendment, and the permissions contained in said First Amendment to the Report and Decision for the Project to deviate from zoning regulations.

Mayor of the City of Boston

Date

Attest:

City Clerk

Secretary
Boston Redevelopment Authority

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on April 23, 1992 and duly recorded in this office:

Copies of a memorandum dated April 23, 1992 were distributed entitled "FIRST AMENDMENT TO THE REPORT AND DECISION ON THE APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP FOR APPROVAL TO UNDERTAKE AN URBAN REDEVELOPMENT PROJECT IN BOSTON" which included a proposed vote. Attached to said memorandum was a document entitled "APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP FOR APPROVAL OF A FIRST AMENDMENT TO THE BOSTON REDEVELOPMENT AUTHORITY REPORT AND DECISION ON THE APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP FOR APPROVAL TO UNDERTAKE AN URBAN REDEVELOPMENT PROJECT UNDER CHAPTER 121A OF THE GENERAL LAWS AND CHAPTER 652 OF THE ACTS OF 1960, AS AMENDED".

Mr. Gerry Kavanaugh, Assistant Director for Institutional Planning and Development, addressed the Authority and answered the Members' questions.

On motion duly made and seconded, it was unanimously

VOTED: That the document presented at this meeting entitled "FIRST AMENDMENT TO THE REPORT AND DECISION ON THE APPLICATION OF ALLSTON LANDING LIMITED PARTNERSHIP FOR APPROVAL TO UNDERTAKE AN URBAN REDEVELOPMENT IN BOSTON CHAPTER 121A OF THE GENERAL LAWS AND CHAPTER 652 OF THE ACTS OF 1960, AS AMENDED", be and hereby is approved and adopted.

The aforementioned "First Amendment to the Report and Decision..." is incorporated in the Minutes of this meeting and filed in the Document Book of the Authority as Document No. 5480.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law,

due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceeding under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the document to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority, and this certificate is hereby executed under such official seal.

(6) That Theodore S. Chandler is the Acting Director of this Authority.

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF, the undersigned hereunto has set his hand this twenty-seventh day of April, 1992.

BOSTON REDEVELOPMENT AUTHORITY

By: Kaus Simonian
Secretary

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